



CITY OF HAYWARD AGENDA REPORT

Meeting Date 09/14/06
Agenda Item 1

TO: PLANNING COMMISSION

FROM: Carl T. Emura, ASLA, Associate Planner
Tim Koonze, Acting Development Review Engineer

SUBJECT: **Site Plan Review PL-2006-0179 / Tentative Tract Map 7768 PL-2006-0178 – David Ruffin (Applicant) / Khalid Mayar (Owner) - Request to Subdivide One Parcel into Ten Parcels and Construct Nine Detached Single-Family Residences with a Private Street**

The Property Is Located on the Southeast Corner of Arf and Baumberg Avenues in a Single-Family Residential (RS) District

RECOMMENDATION:

Staff recommends that the Planning Commission:

1. Find the proposed project is Categorically Exempt from the California Environmental Quality Act (CEQA) guidelines, Section 15332, Class 32 In-fill Development; and
2. Approve the Site Plan Review and Tentative Tract Map applications, subject to the attached findings and conditions of approval.

DISCUSSION:

Project Description

The property is a 1.59-acre flat vacant site. To the north are Lorin Eden School and the Glen Eden Garden Homes, to the south and west are single family dwellings, and to the east is the Pueblo Springs Mobile Home Park. The applicant proposes to build nine contemporary style homes with Mediterranean motifs and architectural features on lots ranging between 5002 to 6792 square feet. The development would contain two different floor plans, 2,600 and 2,930 square feet, with two alternative elevations for each floor plan. The homes would offer 4 to 5 bedrooms with 3 to 4 bathrooms, and a 2-car garage. Porches, windows, trim, and color would vary giving the homes a semi-custom appearance.

A split face concrete screen wall located along the south and east property lines would buffer the project from the adjacent properties. The yards facing the existing streets would have a 6'-0" high redwood fence to lend a friendly feel to the property. The front yards would be landscaped and include at least one street tree. The rear yards would be provided with buffer trees along the perimeter of the property.

Tentative Tract Map and Utilities

The subdivision creates nine single-family residential parcels being served by a private street. A homeowner's association would be required to maintain the private street and the landscaping located between the fence and the sidewalk along the Baumberg and Arf Avenues property frontages. The private street would vary in width allowing three on-street parking spaces to be provided along the south side of the private street. In additions, two cars could be parked on the driveways fronting the garage. These parking spaces, combined with the nine on-street parking spaces available along both the Baumberg and Arf Avenues frontages would provide adequate parking for the project. A 4-foot-wide sidewalk is proposed on both sides of the private street.

The Baumberg and Arf Avenues frontages are fully improved with curb, gutter and sidewalk. The existing overhead utilities along these street frontages would have to be placed underground. Street lights would be required to be installed along the private street and both public street frontages.

The existing sanitary sewer, water, and storm drain facilities abutting the subdivision could adequately serve the project. The proposed sewer and water mains within the private street would be public mains. Storm drainage from the site would be directed overland to a catch basin in Arf Avenue.

Environmental Review

The project is exempt from environmental review as defined by the California Environmental Quality Act (CEQA) Guidelines Section 15332, Class 32 In-Fill Development. The project is less than five acres in size and is consistent with the General Plan, General Plan Policies, General Plan Low Density Residential Designation and the Single-Family Residential Zoning District. The site is surrounded by urban uses and has no value as a habitat for endangered, rare or threatened species. The project would also not result in any significant effects relating to traffic, noise, air quality or water quality and the site can be adequately served by all required utilities and public services.

PUBLIC NOTICE:

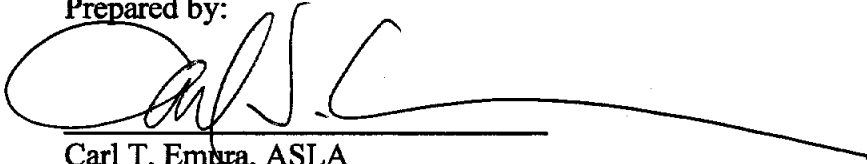
On April 26, 2006, a preliminary meeting notice, and, on September 1, 2006 a public hearing notice was mailed to property owners and residents within 300 feet of the property, to the Hayward Area Planning Association, and all other interested parties. Staff received two responses from the preliminary meeting notice, one in support and one opposing the

development. The person opposing the development did not feel that two story homes were consistent with the neighborhood. No responses were received from the public hearing notice.

CONCLUSION:

The homes are attractive, well designed and compatible with the surrounding uses. It is recommended that the Planning Commission approve this project, subject to the conditions of approval.

Prepared by:

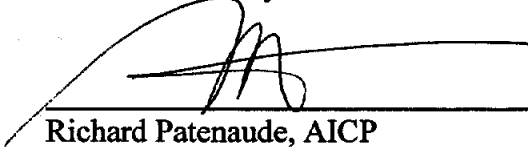


Carl T. Emura, ASLA
Associate Planner



Tim Koonze
Acting Development Review Engineer

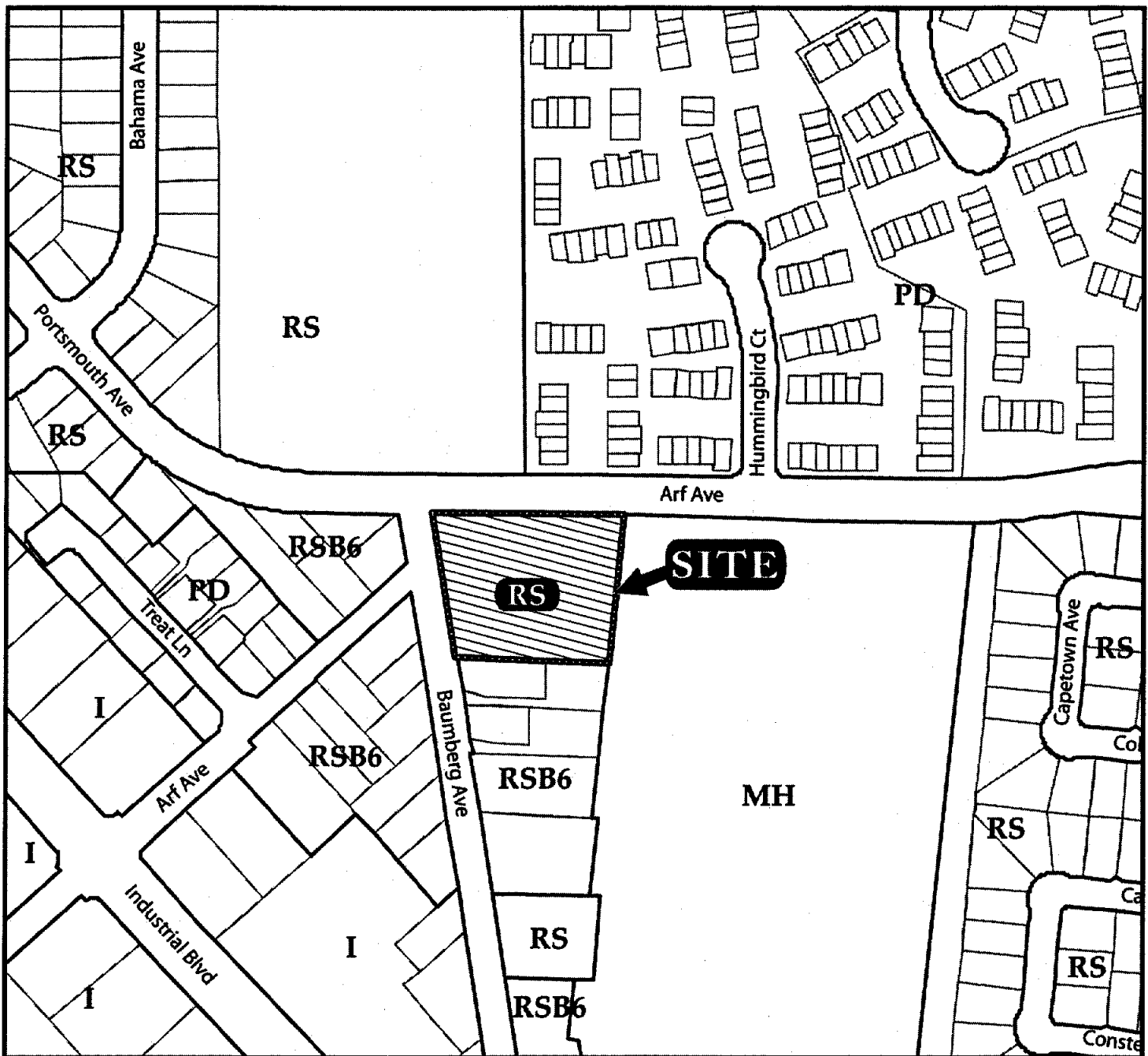
Recommended by:



Richard Patenaude, AICP
Principal Planner

Attachments:

- A – Area Map
- B – Findings for approval – SPR 2006-0179
- C – Conditions of approval – SPR 2006-0179
- D – Findings for approval – TTM 7768
- E – Conditions of approval – TTM 7768
- Tentative Map and Project Plans



Area & Zoning Map

PL-2006-0179 SPR

Address: Arf Avenue at
Baumberg Avenue

Applicant: David Ruffin

Owner: Khalid Joe Mayar



FEET 200 400

Zoning Classifications

RESIDENTIAL

MH Mobile Home Park

RS Single Family Residential, min. lot size 5000 sqft

RSB6 Single Family Residential, min. lot size 6000 sqft

INDUSTRIAL

I Industrial

OTHER

PD Planned Development

CITY OF HAYWARD
Planning Division
Site Plan Review Application No. PL 2006-0179
Arf Avenue at Baumberg Avenue – Southeast Corner
September 14, 2006

FINDINGS FOR APPROVAL

- A. Approval of Site Plan Review No. PL-2006-0179 authorizes the development of nine detached single-family dwellings. This project is exempt from the provisions of California Environmental Quality Act pursuant to Section 15332, Class 32 (b), In-Fill Development.
- B. The project is compatible with surrounding structures and is an attractive addition to the neighborhood, in that the new single family dwellings and street improvements would enhance the neighborhood.
- C. The project takes into consideration the physical and environmental constraints in that a new curb and sidewalk would be provided along Arf Avenue and Baumberg Avenue. This would improve the roadway and improve the character of the neighborhood.
- D. The project as conditioned complies with applicable City policies including the City's Design Guidelines, the Single-Family Residential minimum design and performance standards in that it meets all the setback, height, parking and lot coverage requirements.
- E. The project as conditioned will be operated in a manner acceptable and compatible with surrounding development in that a homeowner's association is required and it will be responsible to comply with the conditions imposed on this project as well as other city regulations.

CITY OF HAYWARD
Planning Division
Site Plan Review Application No. PL 2006-0179
Arf Avenue at Baumberg Avenue – Southeast Corner
September 14, 2006

CONDITIONS OF APPROVAL

GENERAL

1. Site Plan Review Application No. PL-2006-0179, is approved subject to the plans labeled Exhibit "A" and the conditions listed below. This permit becomes void one year after the effective date of approval, unless (a) either a building permit has been issued or a building permit application has been submitted for processing and said application has not expired; or (b) residential occupancy has commenced in accordance with all applicable conditions of approval. A request for a one-year extension, approval of which is not guaranteed, must be submitted to the Planning Division at least 15 days prior to the above date.
2. If a building permit is issued for construction of improvements authorized by the site plan review permit approval, the site plan review approval shall be void two years after issuance of the building permit, or three years after approval of the application, whichever is later, unless the construction authorized by the building permit has been substantially completed or substantial sums have been expended in reliance upon the administrative use permit approval.
3. The applicant / developer shall pay the following fees, the amount of the fee shall be in accordance with the fee schedule in effect at the time of the issuance of the building permits:
 - a. Supplemental Building and Construction and Improvement Tax;
 - b. School Tax; and
 - c. Park Dedication In-Lieu Fee is required for each dwelling unit. Fee to be paid prior to approval of occupancy.
4. Individual garbage can(s) shall be kept within the garage or in the side yard behind the front fence of each unit except upon pick-up day.
5. The permittee shall assume the defense of and shall pay on behalf of and hold harmless the City, its officers, employees, volunteers and agents from and against any or all loss, liability, expense, claim costs, suits and damages of every kind, nature and description directly or indirectly arising from the performance and action of this permit.

6. Violation of these conditions or the Hayward Municipal Code is cause for revocation of permit after a public hearing before the duly authorized review body.
7. Prior to the sale of any individual unit, or prior to the acceptance of tract improvements, whichever occurs first, a homeowners association shall be created to maintain the common area landscaping and the private street. The Conditions, Covenants and Restrictions shall be reviewed and approved by the Planning Director prior to recordation. A reserve fund shall be established and maintained to cover replacement and major repair costs.
8. Each owner shall automatically become a member of the association and shall be subject to a proportionate share of maintenance expenses.
9. The Homeowners Association shall maintain in good repair all common area fences lighting, drainage facilities, streets, and any other project features in the common area. The premises shall be kept clean and free of debris at all times.
10. Any graffiti painted on the property shall be painted out or removed within 72 hours of occurrence or notification by the City's Community Preservation Officer.
11. Each resident shall participate in the City's recycling program.
12. The garages shall be maintained for off-street parking and shall not be converted to a living or storage area. An automatic garage door opening mechanism shall be provided for all garage doors.
13. The wall along Arf Ave, behind Lots 1, 2, and 3 shall be of similar design and material as the wall along the frontage of the adjacent Pueblo Springs Mobile Home Park. The Planning Director shall approve the wall prior to building permit approval.
14. The CC&Rs shall include provisions for towing unauthorized vehicles from the site.
15. If the homeowners' association fails to maintain the common landscaping and irrigation and the private street, so that owners, their families, tenants, guests or adjacent owners suffer or will suffer substantial diminution in the enjoyment, use of property value of the project, the City of Hayward shall have the right to enter upon the project and to commence and complete such work as is necessary to maintain the common areas, after reasonable notice, and lien the properties for their proportionate share of the costs.

BUILDING

16. The colors and materials used on the exterior of the building shall be those submitted for Site Plan Review Application No. PL-2005-0179
17. Exterior lighting shall be designed by a qualified illumination engineer, and erected and maintained so that adequate lighting is provided in all public access areas. The Planning Director shall approve the design and location of lighting fixtures, which shall reflect the architectural style of the buildings. Exterior lighting shall be shielded and deflected away from neighboring properties.

FIRE

18. Class C or better roofing materials shall be installed.
19. Smoke detectors shall be installed per the California Building Code.
20. Building addresses shall be reviewed and approved by the City. Address numbers shall be installed on the front of each building and shall be self-illuminated with 4-inch minimum numbers or 6-inch minimum numbers on a contrasting background.
21. Automatic fire sprinkler systems shall be installed as per NFPA 13-D (Modified) Standards, which shall include fire sprinkler protection within all living areas, garage, foyers/porches, attic space, within crawl spaces and

LANDSCAPING

25. Detailed landscaping and irrigation plans prepared by a licensed landscape architect shall be approval by the City Landscape Architect prior to issuance of a building permit. Landscaping and irrigation plans shall comply with the City's Water Efficient Landscape Ordinance. Mylar originals of the approved landscape plans shall be stamped approved and signed off by the City Landscape Architect and City Engineer. Approved original mylars shall be left on file with the Department of Public Works.
26. A complete automatic sprinkler system with an automatic on/off mechanism shall be installed for required landscape areas prior to occupancy. The system shall include adjustable flood bubblers at each tree, 15-gallon size or larger, and shall utilize a reduce pressure backflow device for common landscape areas. After initial installation, the sprinkler system shall be maintained, including replacement where necessary.
27. Class 'B' Portland Cement concrete curbs shall be constructed to a height of 6 inches above the finished pavement for any landscaped area that adjoin driveways and/or parking areas.

28. A minimum of 24" box street trees shall be planted at every 20 – 40 feet in the parkway strip depending on tree species along Arf Avenue and within the side yards on Baumberg at every 50-feet or fraction thereof of frontage. On a corner lot or lots with any property line adjacent to a street, there should also be one 24-inch box tree per 40-feet or fraction thereof along the side yard setback. Trees shall be planted a minimum of 20-feet from the corner, 5-feet from any utility lines, 15-feet from a light pole, and a minimum of 30-feet from the face of a traffic signal, or as otherwise specified by the City. Trees shall be planted according to the City Standard Detail SD-122. Street tree species shall be approved by the City Landscape Architect.
29. All above ground utilities, and mechanical equipment shall be screened from the street with shrubs.
30. Fences along perimeter property lines or open space shall be screened with vines and shrubs.
31. Front yards shall be limited to a maximum 50% Fescue turf.
32. Construction Administration services shall be provided by the project landscape architect. Services to include:
 - Observation of irrigation system before burying pipes;
 - Observation of soil preparation and soil amendments;
 - Observation of plant material upon delivery to the site;
 - Observation of layout and placement of plants material upon delivery to the site;
 - Observation of final acceptance; and
 - Observation of maintenance period commencement.
33. Front yard landscaping and street trees shall be installed according to approved plans prior to occupancy of each lot. Prior to the issuance of Certificate of Occupancy, the City Landscape Architect shall inspect and approve the landscape for compliance to the approved plans and specifications.
34. Prior to requesting a landscape inspection by the City Landscape Architect, a Certificate of Substantial Completion form shall be completed by the project landscape architect upon the final acceptance based on site inspection(s) of all landscape and irrigation installation (a copy attached). An Irrigation Schedule shall be submitted prior to the final inspection and acceptance of improvements.
35. All common area landscaping, irrigation and other required improvements shall be installed prior to acceptance of tract improvements, or occupancy of seven of the dwelling units, whichever comes first.

36. Mylars of the approved landscape plans shall be submitted to the Engineering Department after all corrections have been made. Upon completion of installation, as-built Mylars shall be submitted to the Engineering Department by the developer.
37. Landscaping shall be maintained in a healthy, weed-free condition at all times. The homeowner's association representative shall inspect the landscaping on a monthly basis and any dead or dying plants (plants that exhibit over 30% die-back) shall be replaced within fifteen days of notification to the homeowner. Plants in the common areas shall be replaced within two weeks of the inspection. Trees shall not be severely pruned, topped or pollarded. Any trees that are pruned in this manner shall be replaced with a tree species selected by, and size determined by the City Landscape Architect, within the timeframe established by the City and pursuant to Municipal Code.
38. A covenant or deed restriction shall be recorded with each lot requiring the property owner to properly maintain the front yard landscaping, slope landscaping, and street trees, and to replace any dead or dying plant material (over 30% of the plant dead) within 15 days of first notification.
39. Park in-lieu fee is required for each unit in the development. The fee is updated annually with new fees taking effect on July 1 of each year and shall be subject to the in-lieu fee schedule in effect at the time of a building permit is issued for the project. The fee shall be paid to the City prior to the date of the final inspection or the date of the certificate of occupancy is issued, whichever occurs first.

GRADING/DRAINAGE

40. Prior to issuance of a building permit, a drainage plan shall be submitted and approved by the City Engineer.
41. Grading and construction hours shall be limited to the hours of 7:00 A.M. to 6:00 P.M. on weekdays and Saturday; there will be no grading or construction activities on Sundays or national holidays. Grading and construction equipment shall be properly muffled.
42. Applicant/Developer shall designate a "noise disturbance coordinator" who will be responsible for responding to any local complaints about construction noise. Letters shall be mailed to surrounding property owners and residents (within 200 feet of the project boundary) with this information.
43. The project plan shall identify Best Management Practices (BMPs) appropriate to the uses conducted on-site in order to limit the entry of pollutants into storm water runoff to the maximum extent practicable. It is highly recommended that a grassy swale be installed to intercept the surface runoff.

44. The proposed BMPs shall be designed to comply with the hydraulic sizing criteria listed in Provision C.3.d of the ACCWP NPDES permit (page 22). In addition, the California Stormwater Quality Association's Stormwater Best Management Practice Handbook New Development and Redevelopment, Subsection 5.5 on pages 5 – 12 has a section titled "BMP Design Criteria for Flow and Volume." This should be available on their website at www.cabmphandbooks.com.
45. Prior to the issuance of a grading permit and/or the beginning of any construction activity on-site, the Developer's Engineer shall complete the Development Building Application Form Information: 1) Impervious Material Form, and 2) Operation and Maintenance Information Form.

FINDINGS FOR APPROVAL
TENTATIVE TRACT MAP 7768

1. The approval of Tentative Map Tract 7768, as conditioned, will have no significant impact on the environment, cumulative or otherwise. The project is Categorically Exempt from the California Environmental Quality Act (CEQA) guidelines, Section 15332, Class 32, In-fill Development.
2. The tentative tract map substantially conforms to the State Subdivision Map Act, the City's Subdivision Regulations, the General Plan, and the City of Hayward Zoning Ordinance.
3. The site is physically suitable for the proposed type of development.
4. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
5. The design of the subdivision and the proposed improvements are not likely to cause serious health problems.
6. Existing streets and utilities are adequate to serve the project.
7. None of the findings set forth in Section 64474 of the Subdivision Map Act¹ have been made.

¹ The findings of Section 66474 set forth the grounds for denial of a tentative map which are as follows:

- (a) That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.
- (b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
- (c) That the site is not physically suitable for the type of development.
- (d) That the site is not physically suitable for the proposed density of development.
- (e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- (f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- (g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property with the proposed subdivision.

CONDITIONS OF APPROVAL TENTATIVE TRACT MAP 7768

Unless otherwise stated, all necessary easements shall be dedicated, and all improvements shall be designed and installed at no cost to the City of Hayward.

All improvements shall be designed and constructed in accordance with the City of Hayward Municipal Code – Chapter 10, Article 3, and Standard Specifications and Details – unless otherwise indicated hereinafter.

The applicant/developer's engineer shall perform all design work unless otherwise indicated.

IMPROVEMENTS

Improvement plans shall be submitted to the City Engineer for review and approval. Subject plans shall, in addition to the standard improvements, incorporate the following special design requirements:

Baumberg Avenue and Arf Avenue

1. Unused driveways located along the Arf Avenue property frontage shall be removed and replaced with curb, gutter and sidewalk to match the existing improvements.
2. Handicap ramps shall be installed within the curb returns where the proposed private street intersects with Baumberg and Arf Avenues. The handicap ramp location and design shall be approved by the City Engineer.
3. The City Engineer will determine if street lights are needed across both street frontages. If so, the lights shall be installed per to City of Hayward Standard detail SD-120. The number, design and location shall be approved by the City Engineer.
4. An Encroachment Permit must be obtained prior to the start of any construction within the public right-of-way.

Interior Private Street

5. The interior private street shall have a right-of-way width that varies between 24 and 29 feet wide. The wider portion shall accommodate a parking lane on the south side of the street. A 4.5-foot-wide sidewalk abutting the back of curb shall be installed along both sides of the private street. The street shall be constructed with concrete or stone pavers or an equal material to implement the clean water program. The design shall be approved by the City Engineer.

6. The driveways serving the single-family homes shall conform to City Standard Detail SD-109.
7. The private street shall be designated as a fire lane and no parking will be allowed along the length of the private street except in designated parking spaces. Wherever on-street parking is not allowed the curbs shall be painted red and/or fire lane signage.
8. Streetlights and pedestrian lighting shall be installed along the private street. The street lights shall be owned and maintained by the homeowners association. The light design and location shall be approved by the Planning Director and the City Engineer.

Landscaping and Irrigation

9. Prior to the approval of the improvement plans a detailed landscaping and irrigation plan for the site shall be prepared by a licensed landscape architect and submitted for review and approval by the City's Landscape Architect. Planting and irrigation shall comply with the City's *Water Efficient Landscape Ordinance*.
10. Within all required landscape areas, a complete automatic sprinkler system with an automatic on/off mechanism shall be installed. A hose bib shall be provided within each private yard.

Storm Drainage

11. The storm drain systems within the tract shall be privately owned and maintained. shall be a private system owned and maintained by the homeowners association or property owners.
12. A Storm Water Pollution Prevention Plan (SWPPP) shall be submitted with a design to reduce discharge of pollutants and sediments into the downstream storm drain system. The plan shall meet the approval of the City Engineer.
13. The developer shall provide a copy of the Notice of Intent filed with the State Water Resources Control Board, prior to the issuance of a grading permit for the project site.
14. The project plans shall include storm water measures for the operation and maintenance of the project to be approved by the City Engineer. The project plans shall identify and incorporate Best Management Practices (BMPs) appropriate to the uses conducted onsite to effectively prevent the entry of pollutants into storm water runoff. Roof leaders shall discharge into a landscaped area prior to storm runoff entering a pipe system.
15. The developer shall prepare a Maintenance Agreement for storm water BMP's constructed as part of this project. The Maintenance Agreement shall be reviewed and approved by the City prior to recordation with the Alameda County Recorder's Office. The Agreement shall be recorded to ensure that the responsibility for maintenance is bound to the property in perpetuity.

16. The project plan measures shall also include erosion control measures to prevent soil, dirt, debris and contaminated materials from entering the storm drain system, in accordance with the regulations outlined in the ABAG Erosion and Sediment Control Handbook.
17. The applicant/developer is responsible for ensuring that all contractors are aware of all storm water quality measures and implement such measures. Failure to comply with the approved construction BMPs will result in the issuance of correction notices, citations or a project stop order.
18. The project shall not block runoff from, or augment runoff to, adjacent properties. The drainage area map developed for the hydrology design shall clearly indicate all the areas tributary to the project area. The developer is required to mitigate augmented runoffs with off-site and/or on-site improvements.
19. All storm drain inlets must be labeled "No Dumping - Drains to Bay" using City approved methods.

Sanitary Sewer System

20. City of Hayward sanitary sewer service is available and can adequately serve the development subject to standard conditions and fees in effect at the time of application. Each unit must have a separate sewer lateral.
21. The sanitary sewer main shall be public and shall be installed with a straight grade between manholes. The sanitary sewer main shall be located on the centerline of the proposed private street with manholes at the beginning and end of the line. The sanitary sewer main shall be an 8-inch main.

Water System

22. City of Hayward water service is available subject to standard conditions and fees in effect at the time of application. Each unit must have a separate water meter.
23. Calculations shall be provided to show proposed water mains are adequate to supply required fire flows. The plans shall indicate the gallon per minute water demand to determine the proper meter size.
24. Prior to occupancy, water services shall be installed for each residential unit by City crews at the developers expense. The application for water services shall be presented to the inspector.
25. Each residential unit shall be individually metered utilizing radio read meters.
26. Water mains shall be located 5-feet from the face of curb.

27. The proposed water main shall be a public system Owned and maintained by the City. The proposed main shall be designed as a looped system without any dead-ends. The location and design shall be approved by the City Engineer.
28. Fire hydrants shall be provided along the Baumberg and Arf Avenues frontages as required by the Fire Chief. Fire hydrant locations shall be identified with blue reflective pavement markers installed in the street adjacent to the fire hydrant.
29. The fire hydrant proposed on the private street in front of Lot 3 is in an acceptable location. The final design and location shall be approved by the Fire Chief.
30. Fire hydrants shall be modified steamer type which shall be installed per City standards. Crash post protection may be required for the fire hydrant if it is installed in an unprotected area susceptible to potential vehicular impact. Blue reflective hydrant markers shall be installed on the pavement adjacent to the hydrant location.
31. Fire flow requirements for this development shall be 1,500 gallons per minute at 20 psi. An allowance of up to 50 percent may be granted for fire sprinklers systems installed within each building.
32. Only City Water Distribution Personnel shall perform operation of valves on the Hayward water system.

Utilities

33. All utility services shall be "underground service" designed and installed in accordance with the Pacific Gas and Electric Company, SBC and SBC Broadband Company regulations. Transformers, and switch gear cabinets, shall be placed underground unless otherwise approved by the Planning Director and the City Engineer. Underground utility plans must be submitted for City approval prior to installation.
34. All proposed surface-mounted hardware (fire hydrants, electroliers, etc.) along the proposed streets shall be located outside of the sidewalk within the proposed Public Utility Easement in accordance with the requirements of the City Engineer or, where applicable, the Fire Chief.
35. All utilities shall be designed in accordance with the requirements of the City of Hayward and applicable public agency standards.

Fire Protection

36. Addressing for each building as well as a single family home shall be assigned and approved by the Fire Department. Numbers shall be a minimum of 4 inches in height (self-illuminated) or a 6 inch letter on a contrasting background, and be visible from the street.

Dedications, Easements and Deed Restrictions

37. The final map shall reflect:
- a. The private street shall be dedicated as a water, sanitary sewer and public and utility easement main easement.
 - b. Six-foot-wide public utility easements (PUE) along both sides of the private street.
 - c. Six-foot-wide public utility easements (PUE) along the Baumberg and Arf Avenues frontage where necessary as determined by the City Engineer.
 - d. Five-foot-wide pedestrian easements located on each side of the street encompassing the proposed sidewalk. The location of the easement shall be approved by the City Engineer.

Subdivision Agreement

38. Execute a subdivision agreement and post bonds with the City that shall secure the construction of the public improvements per Section 10-3.332, Security for Installation of Improvements, of the Municipal Code. Insurance shall be provided per the terms of the subdivision agreement.

Homeowners Association and Covenants, Conditions and Restrictions

39. Prior to the sale of any individual unit, or prior to the acceptance of tract improvements, whichever occurs first, a homeowners owners association shall be created and shall be responsible for maintaining all private streets, private street lights, private utilities and other privately owned common areas and facilities on the site including landscaping. These maintenance responsibilities shall include implementing and maintaining stormwater BMPs associated with improvements and landscaping. CC&R's creating the association shall be reviewed and approved by the City Attorney prior to the recordation of the Final Map and recorded prior to the sale of the first residential unit. The CC&R's shall describe how the stormwater BMPs associated with privately owned improvements and landscaping shall be maintained by the association.

PRIOR TO CONSTRUCTION WITH COMBUSTIBLE MATERIALS

40. Required water system improvements shall be completed and operational prior to the start of combustible construction to the satisfaction of the Fire Chief.
41. A minimum 22-foot-wide all-weather access road, engineered for 50,000 pounds gross vehicle weight, shall be maintained for emergency vehicle access.

DURING CONSTRUCTION

42. The following control measures for construction noise, grading and construction activities shall be adhered to, unless otherwise approved by the Planning Director or City Engineer:

- a. Grading and construction activities shall be limited to the hours 7:00 AM to 7:00 PM on weekdays; there shall be no grading or construction activities on weekends or holidays;
- b. Grading and construction equipment shall be properly muffled;
- c. Unnecessary idling of grading and construction equipment is prohibited;
- d. Stationary noise-generating construction equipment, such as compressors, shall be located as far as practical from occupied residential housing units;
- e. Applicant/developer shall designate a "noise disturbance coordinator" who will be responsible for responding to any local complaints about construction noise. Letters shall be mailed to surrounding property owners and residents (within 200 feet of the project boundary) with this information.
- f. The developer shall participate in the City's recycling program during construction;
- g. Daily clean-up of trash and debris shall occur on Baumberg or Arf Avenues and other neighborhood streets utilized by construction equipment or vehicles making deliveries.
- h. The site shall be watered twice daily during site grading and earth removal work, or at other times as may be needed to control dust emissions;
- i. All grading and earth removal work shall follow remediation plan requirements, if soil contamination is found to exist on the site;
- j. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites;
- k. Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites;
- l. Apply (non-toxic) soil stabilizers or hydroseed to inactive construction areas (previously graded areas inactive for 10-days or more);
- m. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
- n. Gather all construction debris on a regular basis and place them in a dumpster or other container which is emptied or removed on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to storm water pollution;
- o. Remove all dirt, gravel, rubbish, refuse and green waste from the sidewalk, street pavement, and storm drain system adjoining the project site. During wet weather, avoid driving vehicles off paved areas and other outdoor work;

- p. Broom sweep the sidewalk and public street pavement adjoining the project site on a daily basis. Caked on mud or dirt shall be scraped from these areas before sweeping;
 - q. No site grading shall occur during the rainy season, between October 15 and April 15, unless approved erosion control measures are in place.
 - r. Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site prior to: 1) start of the rainy season; 2) site dewatering activities; or 3) street washing activities; and 4) saw cutting asphalt or concrete, or in order to retain any debris or dirt flowing into the City storm drain system. Filter materials shall be maintained and/or replaced as necessary to ensure effectiveness and prevent street flooding. Dispose of filter particles in the trash;
 - s. Create a contained and covered area on the site for the storage of bags of cement, paints, flammables, oils, fertilizers, pesticides or any other materials used on the project site that have the potential for being discharged to the storm drain system through being windblown or in the event of a material spill;
 - t. Never clean machinery, tools, brushes, etc., or rinse containers into a street, gutter, storm drain or stream. See *"Building Maintenance/Remodeling"* flyer for more information;
 - u. Ensure that concrete/gunite supply trucks or concrete/plasters finishing operations do not discharge washwater into street gutters or drains; and
 - v. The applicant/developer shall immediately report any soil or water contamination noticed during construction to the City Fire Department Hazardous Materials Division, the Alameda County Department of Health and the Regional Water Quality Control Board.
43. A representative of the soils engineer shall be on the site during grading operations and shall perform such testing as deemed necessary by the City Engineer. The representative of the soils engineer shall observe grading operations with recommended corrective measures given to the contractor and the City Engineer.
44. The minimum soils sampling and testing frequency shall conform to Chapter 8 of the Caltrans Construction Manual. The subdivider shall require the soils engineer to daily submit all testing and sampling and reports to the City Engineer.
45. The developer shall be responsible to adhere to all aspects of the Storm Water Pollution Prevention Plan (SWPPP) as approved per condition of approval No. 8 above.
46. Construction Administration services shall be provided by the project landscape architect. Services to include:
- a. Observation of irrigation system before burying pipes;

- b. Observation of plant material upon delivery to the site;
- c. Observation of layout and placement of plant material upon delivery to the site;
- d. Observation for maintenance period commencement; and
- e. Observation for final acceptance.

PRIOR TO CONNECTION OF UTILITIES AND ISSUANCE OF CERTIFICATES OF OCCUPANCY

- 47. The applicant/developer shall pay the following fees, the amount of the fee shall be in accordance with the fee schedule in effect at the time of issuance of the building permits;
 - a. Supplemental Building Construction and Improvement Tax;
 - b. School Tax; and
 - c. Sewer Connection Fee for each dwelling unit at the rate in effect when the utility service permit for the dwelling unit is issued.
 - d. Park In-lieu fees for each dwelling unit at the rate in effect when the building permit for unit is issued.
- 48. Any damaged curb, gutter and/or sidewalk along the Baumberg and Arf Avenues property frontages shall be repaired or replaced to the satisfaction of the City Engineer.
- 49. The on-site street light electroliers shall be in operating condition as approved by the Planning Director and the City Engineer.

PRIOR TO CITY APPROVAL OF THE TRACT IMPROVEMENTS AS BEING COMPLETED

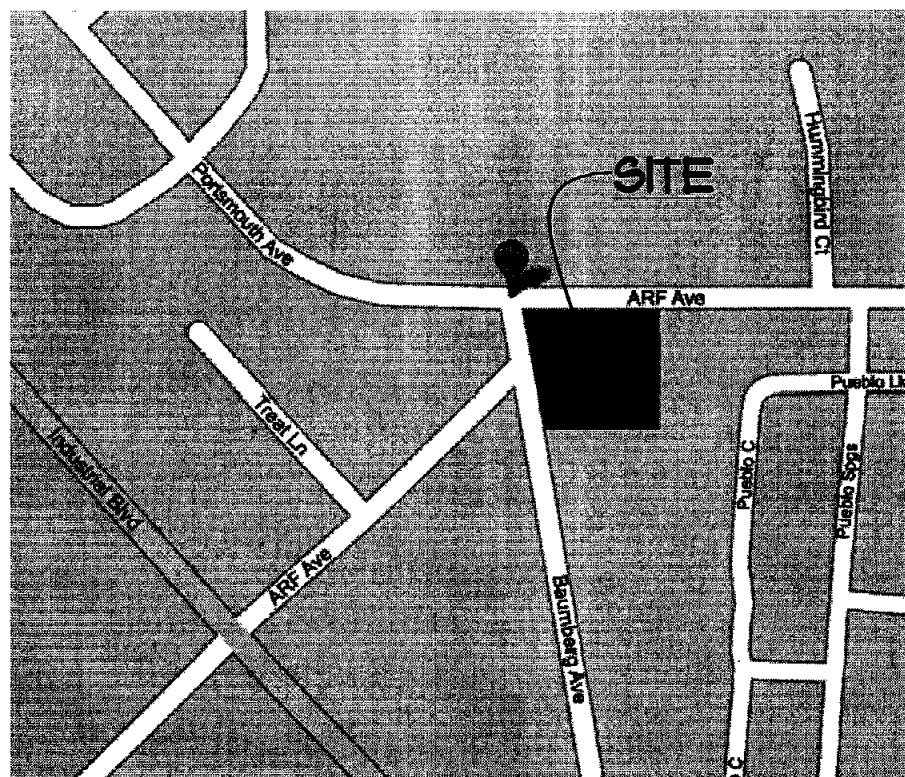
- 50. All tract improvements, including the complete installation of all improvements relative to streets, fencing, sanitary sewer, storm drainage, water system, underground utilities, etc., shall be completed and attested to by the City Engineer before approval of occupancy of any unit. Where facilities of other agencies are involved, such installation shall be verified as having been completed and accepted by those agencies.
- 51. All common area landscaping, irrigation and other required improvements shall be installed prior to acceptance of tract improvements, or occupancy of 80 percent of the dwelling units, whichever first occurs.
- 52. The improvements associated with the Pacific Gas and Electric Company, EBMUD, SBC and ComCast shall be installed to the satisfaction of the respective companies.

53. The subdivider shall submit an "as built" plan indicating the following:

- a. All the underground facilities, sanitary sewer mains and laterals, water services (including meter locations), Pacific Gas and Electric Company, EBMUD, SBC and Comcast, etc; and
- b. All the site improvements, except landscaping species, buildings and appurtenant structures.

DUE TO THE SIZE OF
TENTATIVE TRACT
MAP # 7768, IT IS ONLY
AVAILABLE BY CONTACTING
THE OFFICE OF THE CITY
CLERK

ARF AVENUE NINE UNIT RESIDENTIAL SUBDIVISION HAYWARD, CA



1 VICINITY MAP



DRAWING SCHEDULE

- A0 TITLE SHEET
- A1 INTRO
- A2 TOPOGRAPHIC SURVEY
- A3 SITE PLAN
- A4 CONCEPTUAL LANDSCAPING
- A5 CONCEPTUAL PLANTINGS
- A6 A1 FLOOR PLANS
- A7 A1 ROOF PLAN
- A8 A1 ELEVATIONS
- A9 A2 ELEVATIONS
- A10 B1 FLOOR PLANS
- A11 B1 ROOF PLAN
- A12 B1 ELEVATIONS
- A13 B2 ELEVATIONS
- A14 RENDERINGS
- A15 AERIAL VIEW

SPR PL-2006-0179 &
TTM 7768 PL-2006-0178



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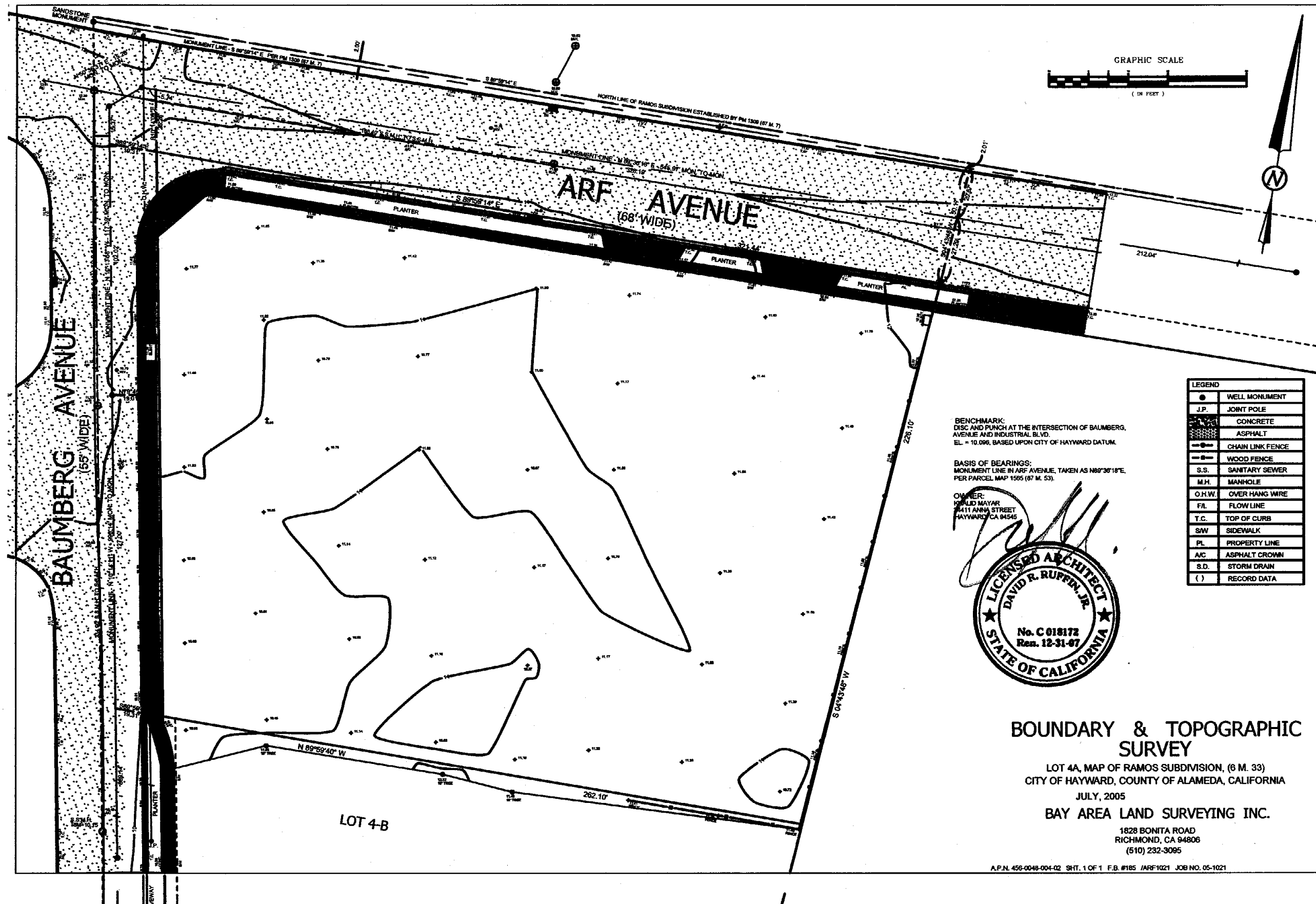
ARF AVE. SUBDIVISION
HAYWARD, CA

TITLE SHEET

2/27/2006

A0

A1



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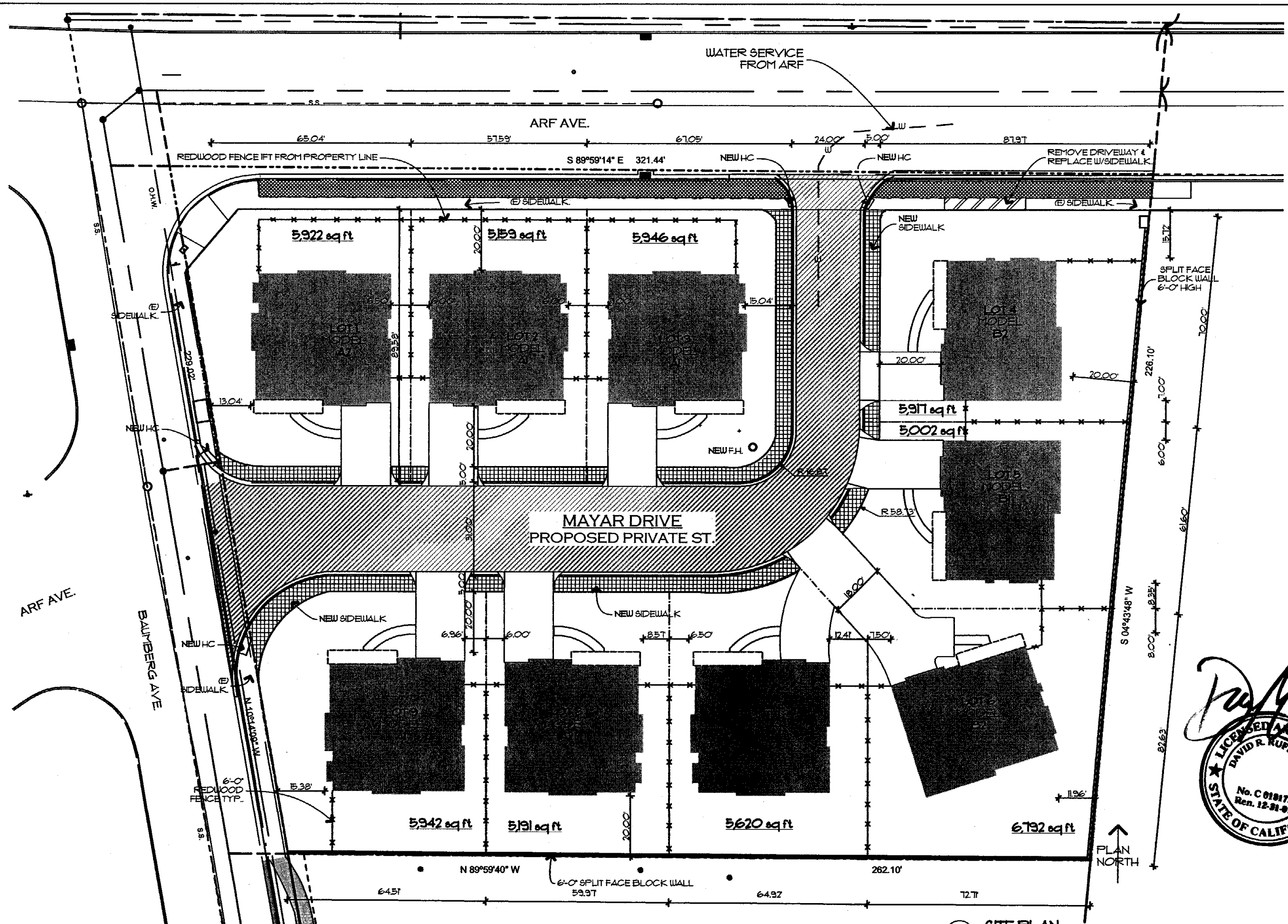
TOPOGRAPHIC SURVEY

2/27/2006

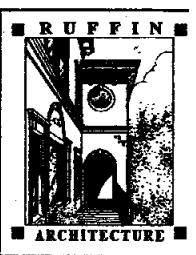
A2

TOPOGRAPHIC SURVEY
T = 40'-0"

ARF-9.00k (REV. 9/4/2006) (PLOT: 9/4/2006 6:07 PM)



1 SITE PLAN
1" = 30'-0"



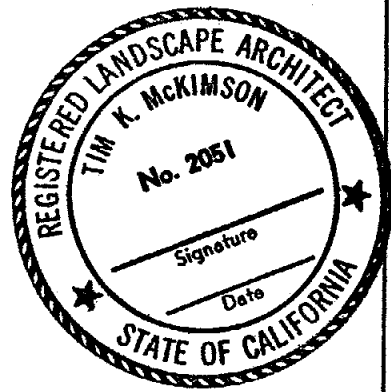
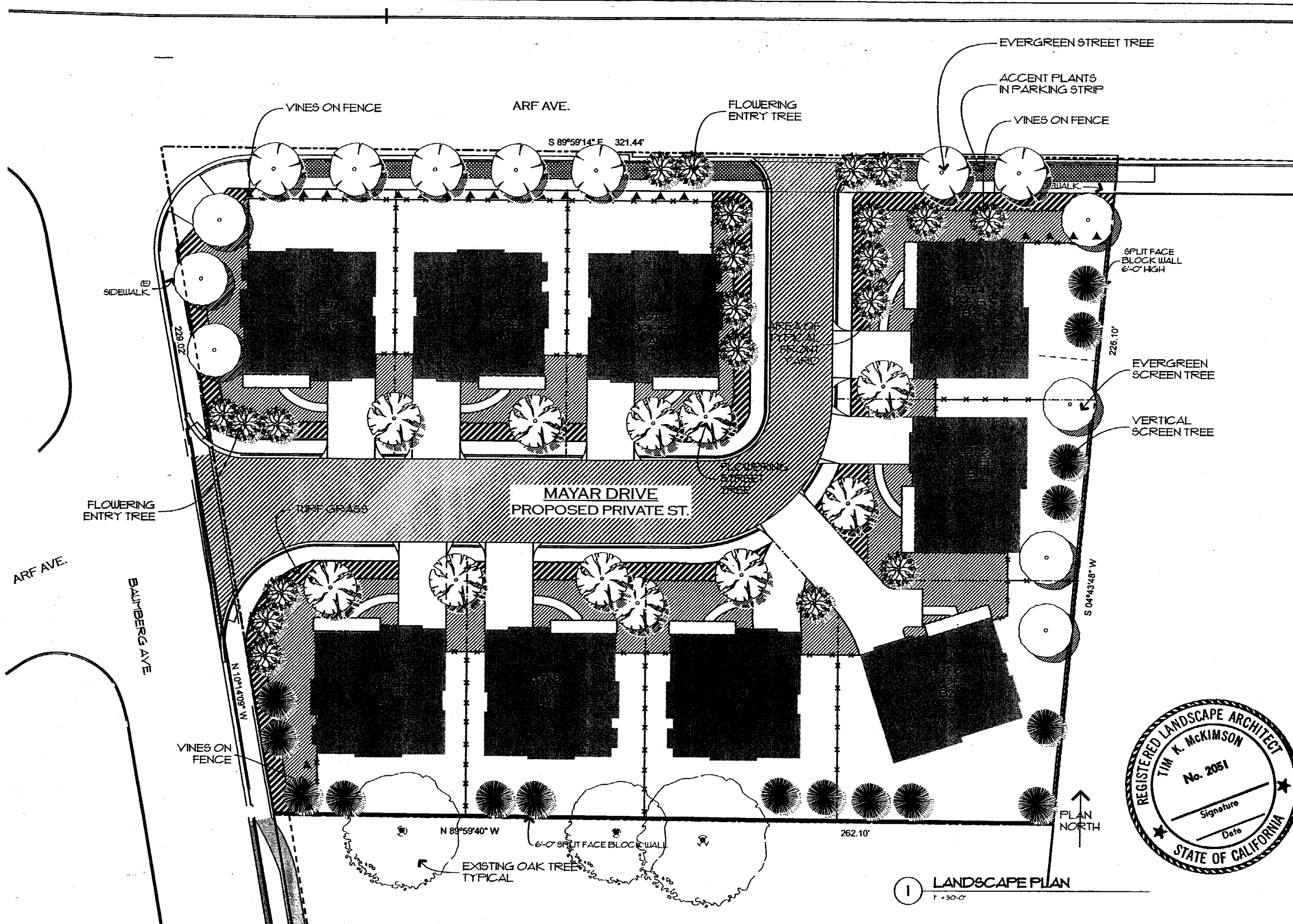
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HAYWARD, CA

SITE PLAN
2/27/2006

A3



1 LANDSCAPE PLAN
1" = 30'-0"



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HAYWARD, CA

CONCEPTUAL
LANDSCAPE
PLAN
2/27/2006

ARE AVENUE SUBDIVISION, Hayward

PROPOSED PLANT LIST:

ABBREV.	BOTANICAL NAME	COMMON NAME	HEIGHT x WIDTH	FLOWERS	FALL COLOR	SIZE
EVERGREEN STREET TREE (Arf Avenue)						
ACA MEL	Acacia melanoxylon	BLACKWOOD ACACIA	to 40' h. x 25' w.	white	-	15 gal.
FLOWERING STREET TREE (Patenaude Promenade)						
PYR RED	Pyrus calleryana 'Redspire'	REDSPIRE PEAR	to 35' h. x 20' w.	white	yellow-red	15 gal.
FLOWERING ENTRY TREE (Patenaude Promenade)						
PYR CHA	Pyrus calleryana 'Chanticleer'	CHANTICLEER PEAR	to 40' h. x 15' w.	white	orange-red	15 gal.
EVERGREEN SCREEN TREE						
GEI PAR	Geijera parviflora	AUSTRALIAN WILLOW	25'-30' h. x 20' w.	-	purple-red	15 gal.
VERTICAL SCREEN TREE						
LIQ FES	Liquidambar styraciflua 'Festival'	FESTIVAL SWEET GUM	25' h. x 15' w.	-	multi-color	15 gal.
ACCENT PLANTS IN PARKING STRIP (Arf Avenue)						
DIE BIC	Dietes bicolor	AFRICAN IRIS	30-36" h.	light yellow	-	1 gal.
ESC TER	Escallonia 'Terri'	DWARF ESCALLONIA	2-3' h. x 3-4' w.	pink	-	5 gal.
NAN COM	Nandina domestica 'Moon Bay'	COMPACT HEAVENLY BAMBOO	30" h. x 30" w.	-	red	1 gal.
TRA JAS	Trachelospermum jasminoides	STAR JASMINE	12-18" h. to 6' w.	white	-	1 gal.
ACCENT PLANTS IN ENTRY ISLANDS (Patenaude Promenade)						
AGA PET	Agapanthus 'Peter Pan'	DWARF LILY-OF-THE-NILE	12" h., 18" flowers	deep blue/purple	-	1 gal.
AGA QUE	Agapanthus 'Queen Anne'	LILY-OF-THE-NILE	18" h., 24" flowers	deep blue/purple	-	1 gal.
PHO TEN	Phormium tenax 'Jack Spratt'	DWARF NEW ZEALAND FLAX	18" h. x 18" w.	-	-	1 gal.
VINES ON FENCE (Arf Avenue)						
PAR TRI	Parthenocissus tricuspidata	BOSTON IVY	varies	-	orange to red	1 gal.
TRA JAS	Trachelospermum jasminoides	STAR JASMINE	varies	white	-	5 gal.
VINES ON FENCE (Baumberg Avenue)						
DIS BUC	Distictis buccinatoria	BLOOD RED TRUMPET VINE	varies	red	-	-

TYPICAL FRONT YARDS

PROPOSED PLANT LIST: NORTH AND EAST FACING LOTS

TYPE	SIZE	GROUP ONE (White/Pink)	GROUP TWO (Red/Pink)	GROUP THREE (Purple/Blue/White)
LARGE SHRUBS	1 Gal.	Escallonia 'Fradesii'	Escallonia rubra 'C.F.Ball'	Abelia 'Edward Goucher'
	1 Gal.	Pittosporum t. 'Variegata'	Viburnum tinus 'Spring Bouquet'	Pittosporum t. 'Variegata'
MEDIUM SHRUBS	1 Gal.	Loropetalum chinense	Escallonia 'Terri'	Agapanthus 'Midnight Blue'
	1 Gal.	Raphiolepis 'Enchantress'		Raphiolepis 'Clara'
SMALL SHRUBS	1 Gal.	Agapanthus 'Rancho White'	Raphiolepis 'Ballerina'	Agapanthus 'Queen Anne'
	1 Gal.	Pittosporum t. 'Wheeler's Dwarf'	Pittosporum t. 'Wheeler's Dwarf'	
GROUND COVER	1 Gal.	Coprosma 'Verde Vista'	Aptenia cordifolia 'Red Apple'	Vinca minor 'Bowles' Variety'
TURFGRASS	Sod	Dwarf Fescue Blend	Dwarf Fescue Blend	Dwarf Fescue Blend

PROPOSED PLANT LIST: SOUTH AND WEST FACING LOTS

TYPE	SIZE	GROUP ONE (White/Pink)	GROUP TWO (Red/Pink)	GROUP THREE (Purple/Blue/White)
LARGE SHRUBS	1 Gal.	Escallonia 'Fradesii'	Leptospermum sco. 'Ruby Glow'	Abelia 'Edward Goucher'
	1 Gal.	Viburnum tinus 'Spring Bouquet'	Escallonia rubra 'C.F.Ball'	
	1 Gal.			
MEDIUM SHRUBS	1 Gal.	Ilex vomitoria 'Nana'	Escallonia 'Terri'	Lavandula 'Goodwin Creek'
	1 Gal.	Raphiolepis 'Springtime'	Raphiolepis 'Springtime'	Salvia leucantha 'Midnight'
SMALL SHRUBS	1 Gal.	Agapanthus 'Rancho White'	Lavandula sto. 'Otto Quast'	Agapanthus 'Queen Anne'
	1 Gal.	Gaura lind. 'Summer Clouds'	Gaura lind. 'Summer Clouds'	Gaura lind. 'Summer Clouds'
GROUND COVER	1 Gal.	Coprosma 'Verde Vista'	Cotoneaster dammeri 'Lowfast'	Rosmarinus 'Irene'
TURFGRASS	Sod	Dwarf Fescue Blend	Dwarf Fescue Blend	Dwarf Fescue Blend

NOTES

THE PLANT SPECIES SELECTION IS BASED UPON SUN/SHADE EXPOSURE, FUNCTIONAL NEEDS, LOW-WATER DEMANDS, AND VISUAL SIGHT DISTANCE CONSTRAINTS. AESTHETIC CRITERIA INCLUDE PROVIDING FLOWER COLOR, FALL COLOR, AND OVERALL VARIETY IN FORM AND COLOR.

ALL PLANTING AREAS WILL RECEIVE A 2 INCH LAYER OF "WALK-ON" BARK MULCH TO CONSERVE SOIL MOISTURE AND DETER WEED GROWTH.

IRRIGATION SYSTEMS WILL BE AUTOMATIC AND PERMANENT, DESIGNED TO CONSERVE WATER AND MINIMIZE OVERSPRAY ONTO PAVING, WALLS, FENCES AND BUILDINGS. LOW-VOLUME SPRAY HEADS WILL WATER PLANTING AREAS GREATER THAN 6 FEET WIDE, WITH LOW-VOLUME BUBBLERS SERVING NARROW AREAS, VINES AND TREES. PLANTING AREAS SHALL BE DIVIDED INTO CONTROLLER VALVE CIRCUITS BASED UPON SUN EXPOSURE, TYPE OF HEAD, AND TYPE OF PLANT MATERIAL.

EACH LOT WILL HAVE ITS OWN IRRIGATION SYSTEM WITH AN AUTOMATIC CONTROLLER. A COMMON IRRIGATION SYSTEM WILL SERVE THE PLANTING AREAS LOCATED ON THE STREET SIDE OF THE FENCES ALONG ARF AVENUE AND BAUMBERG AVENUE.

INDIVIDUAL HOMEOWNERS WILL BE RESPONSIBLE FOR MAINTENANCE OF THE LANDSCAPE ON THEIR LOT. ALL COMMON PLANTING AREAS WILL RECEIVE ONGOING LANDSCAPE MAINTENANCE THAT WILL INCLUDE WEED CONTROL, EDGING, LITTER CONTROL, WATERING, FERTILIZATION, REPAIR OF IRRIGATION SYSTEM, AND CONTROL OF DISEASES AND PESTS.



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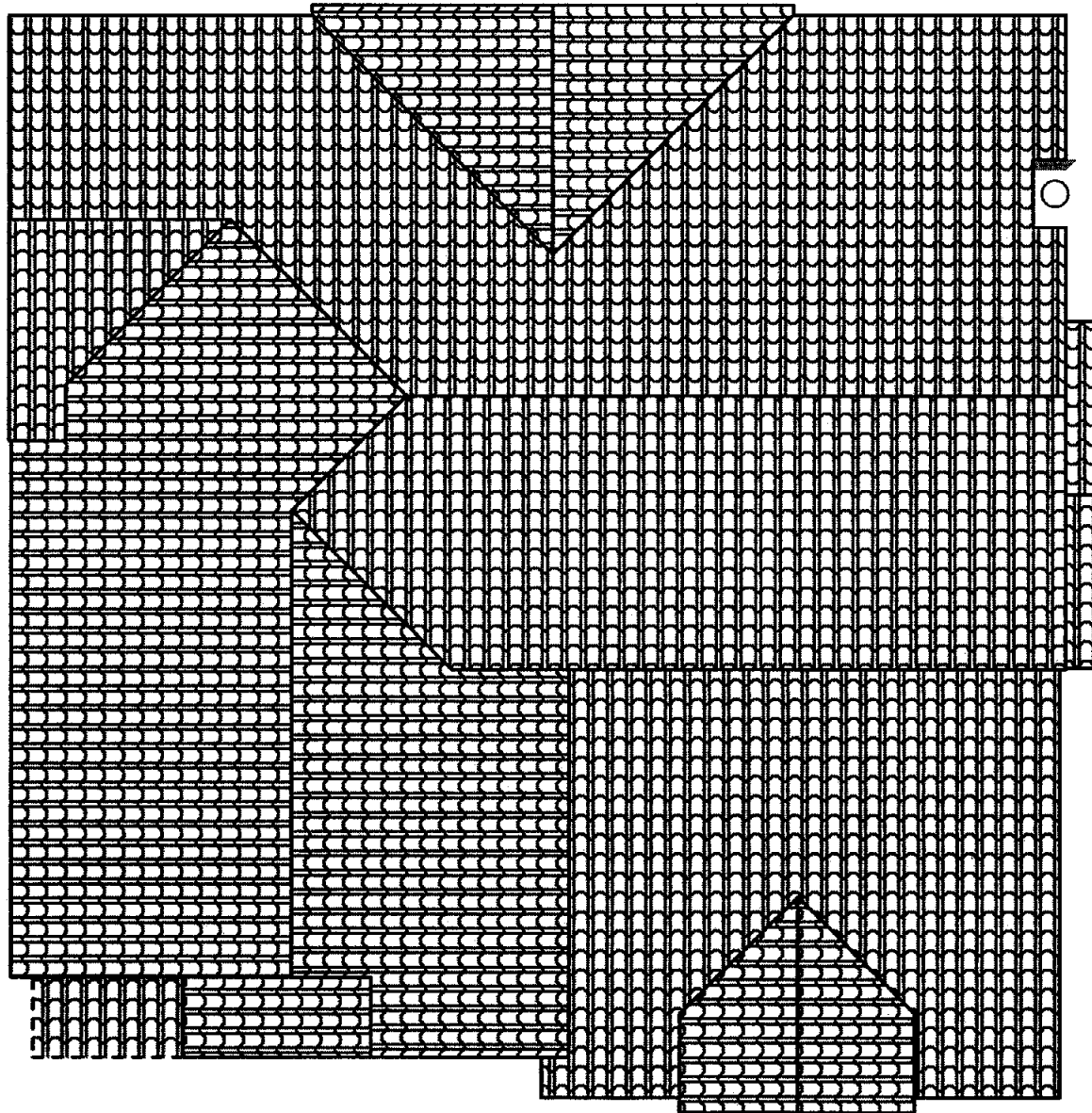
MAYAR INVESTMENTS
1936 EAST AVE.
HAYWARD, CA 94554

ARF AVE. SUBDIVISION
HAYWARD, CA

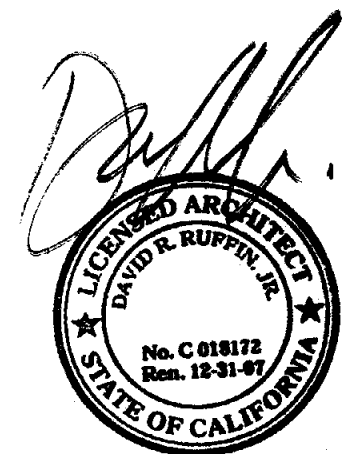
CONCEPTUAL PLANTINGS

2/27/2006

A5



1 A1 ROOF PLAN
1/8" = 1'-0"



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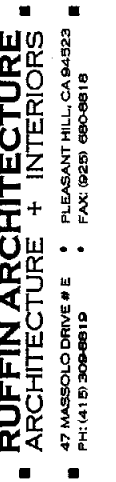
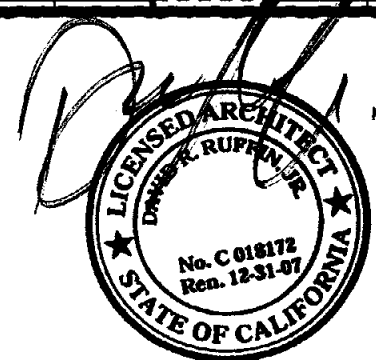
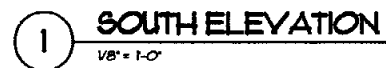
MAYAR INVESTMENTS
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HAYWARD, CA

A1 ROOF PLAN

2/27/2006

A7



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A1 ELEVATIONS

2/27/2006

A8

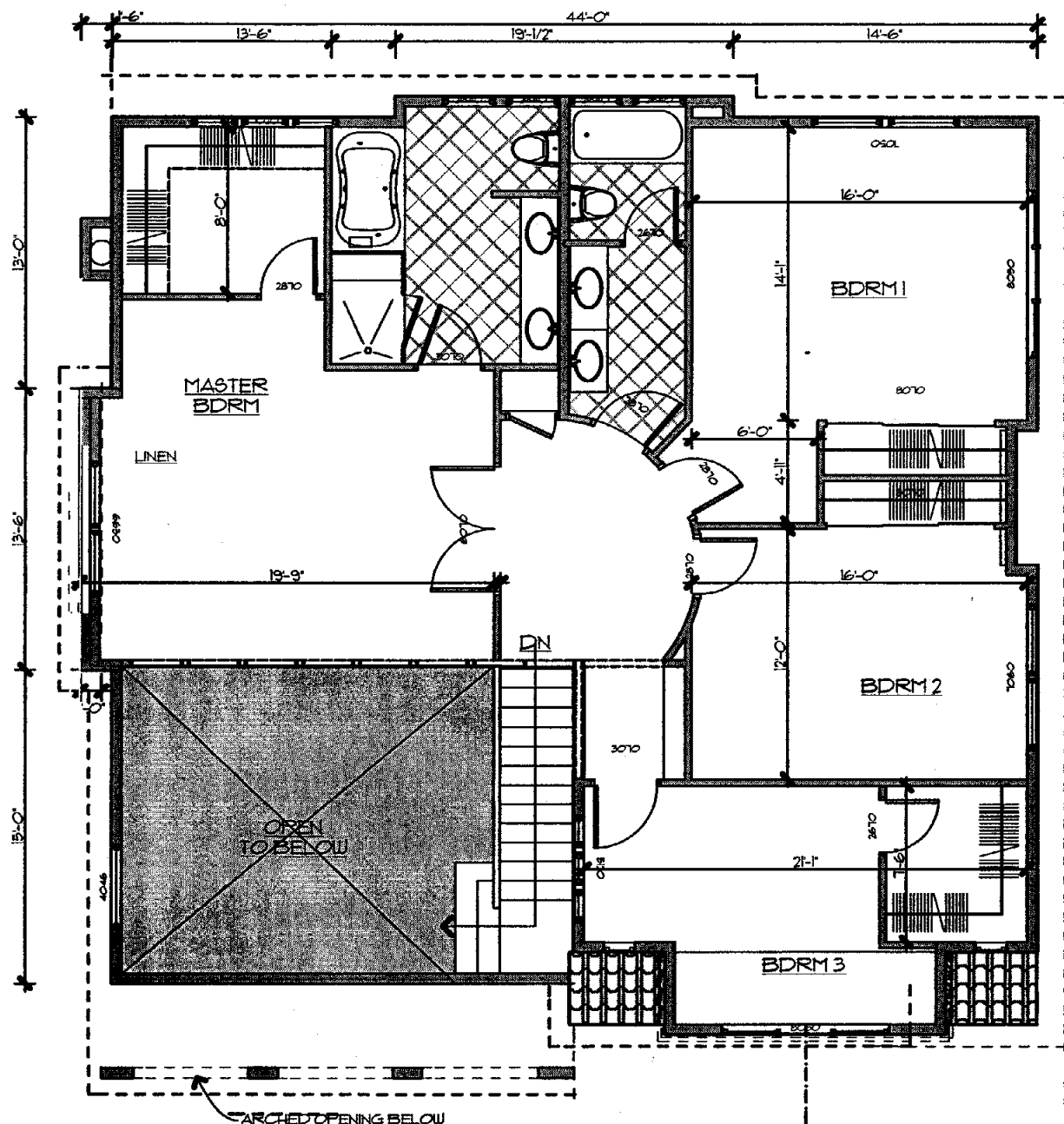
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1 SOUTH ELEVATION
1/8" = 1'-0"



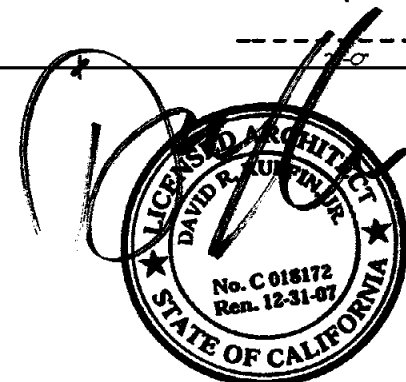
2 WEST ELEVATION
1/8" = 1'-0"



PLAN A2

1541.89 sq ft 2ND FLOOR AREA

3 2ND FLOOR
1/8" = 1'-0"



PLAN NORTH



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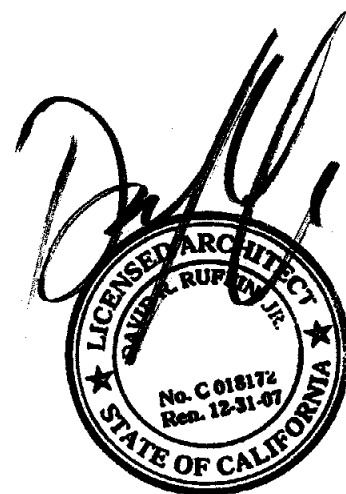
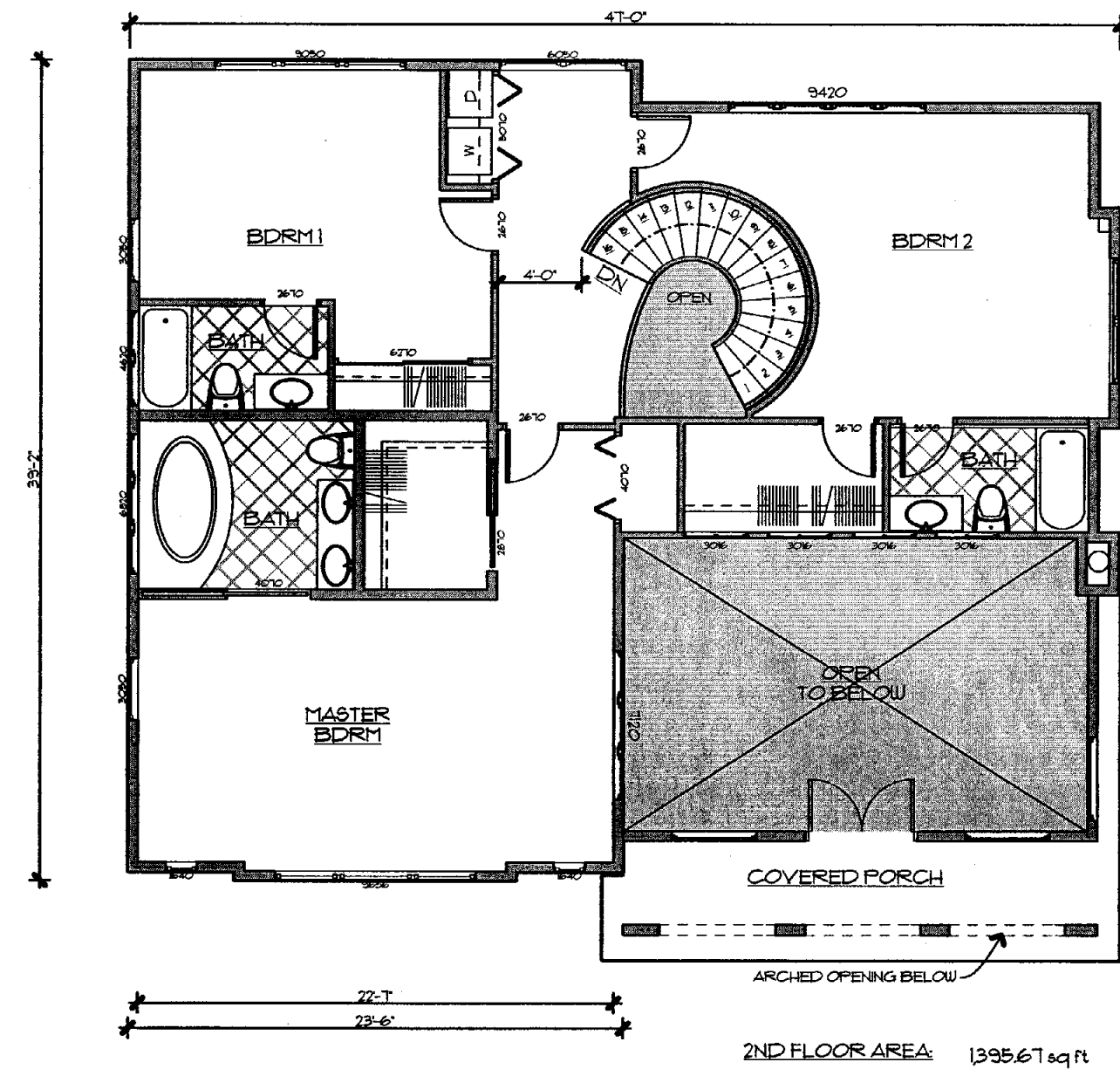
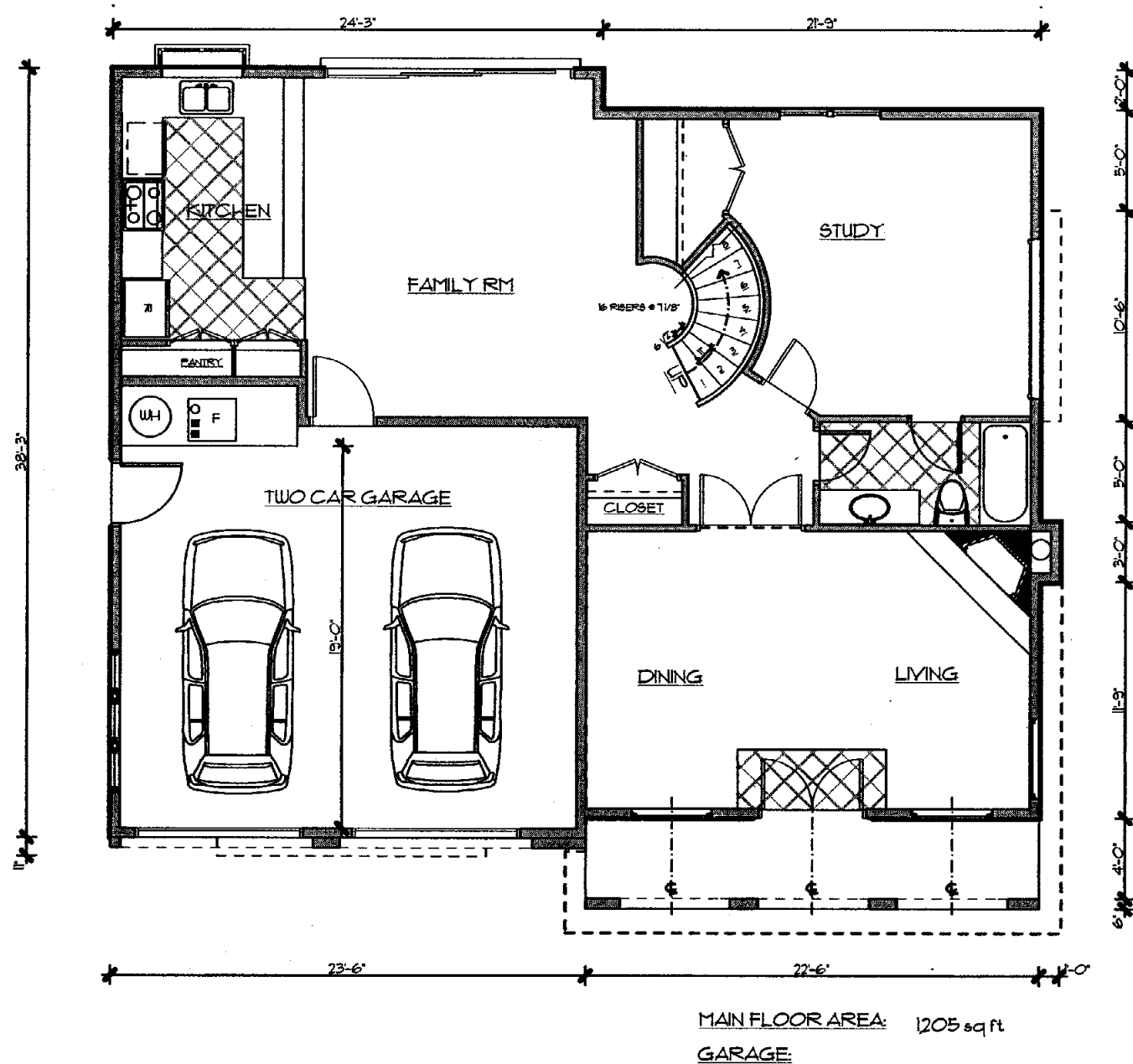
MAYAR INVESTMENTS
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HAYWARD, CA

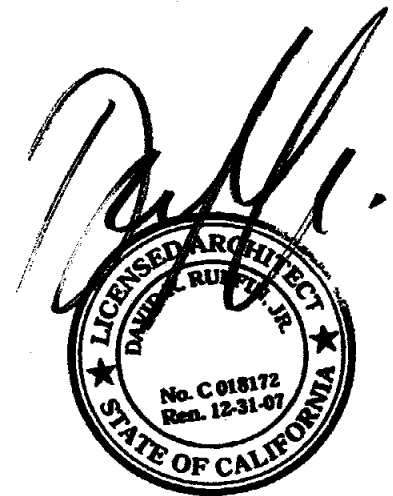
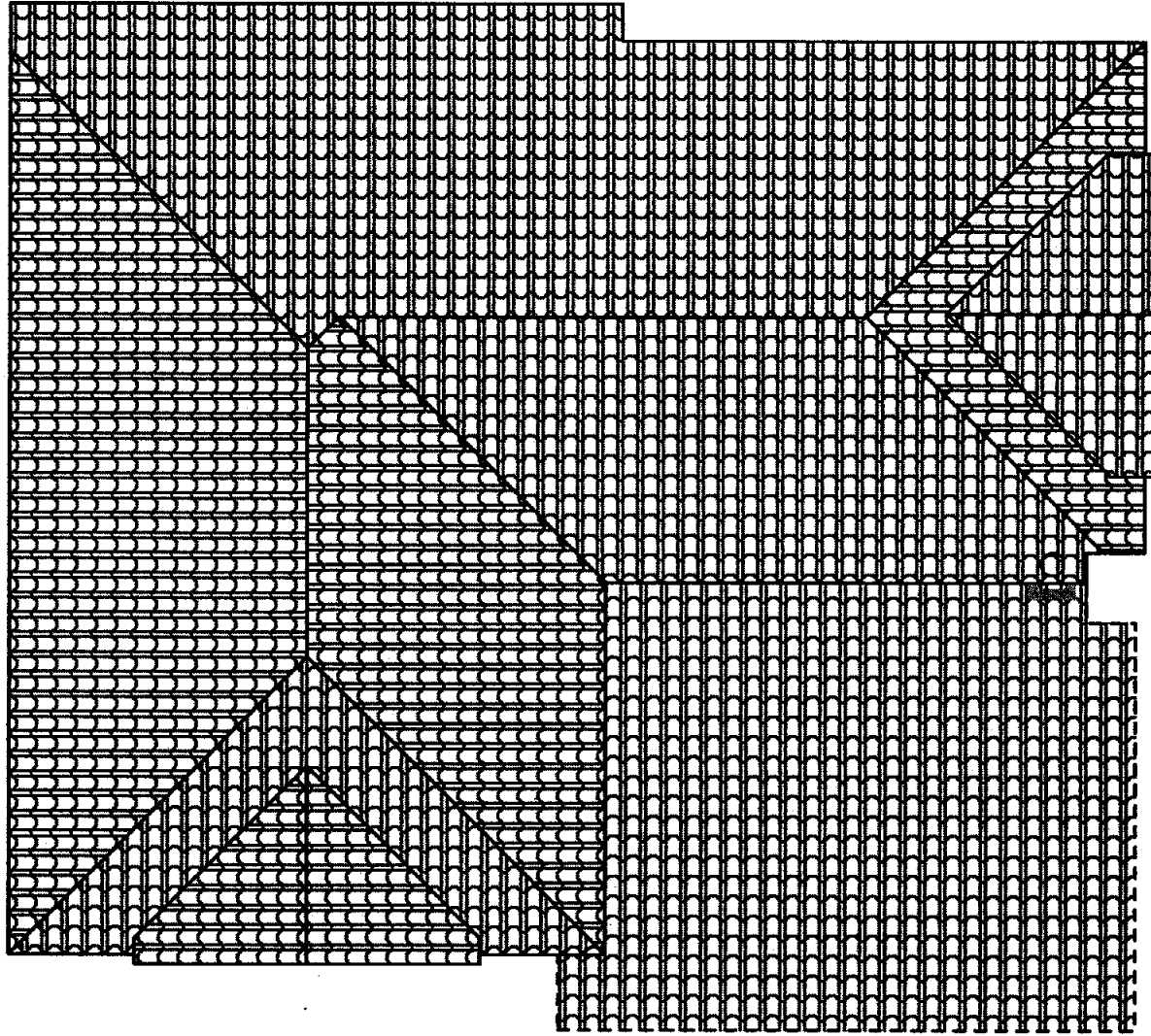
A2
ELEVATIONS

2/27/2006

A9



1 ROOF PLAN
VS = 1-0'



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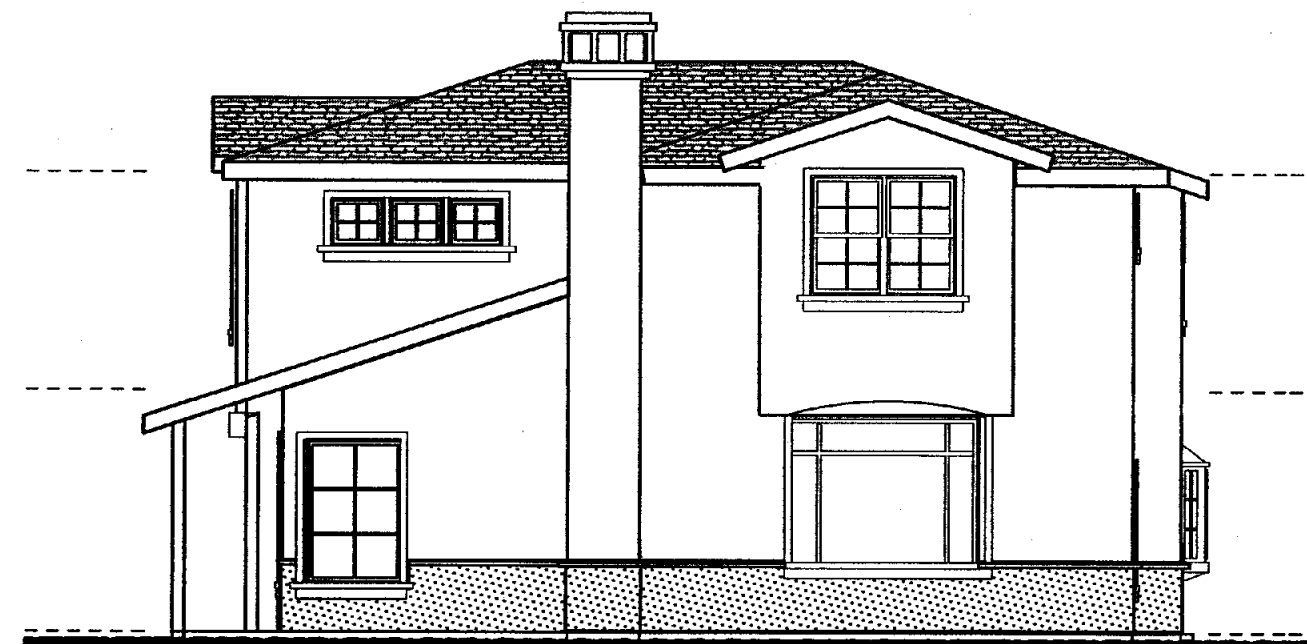
B1 ROOF
PLAN

2/27/2006

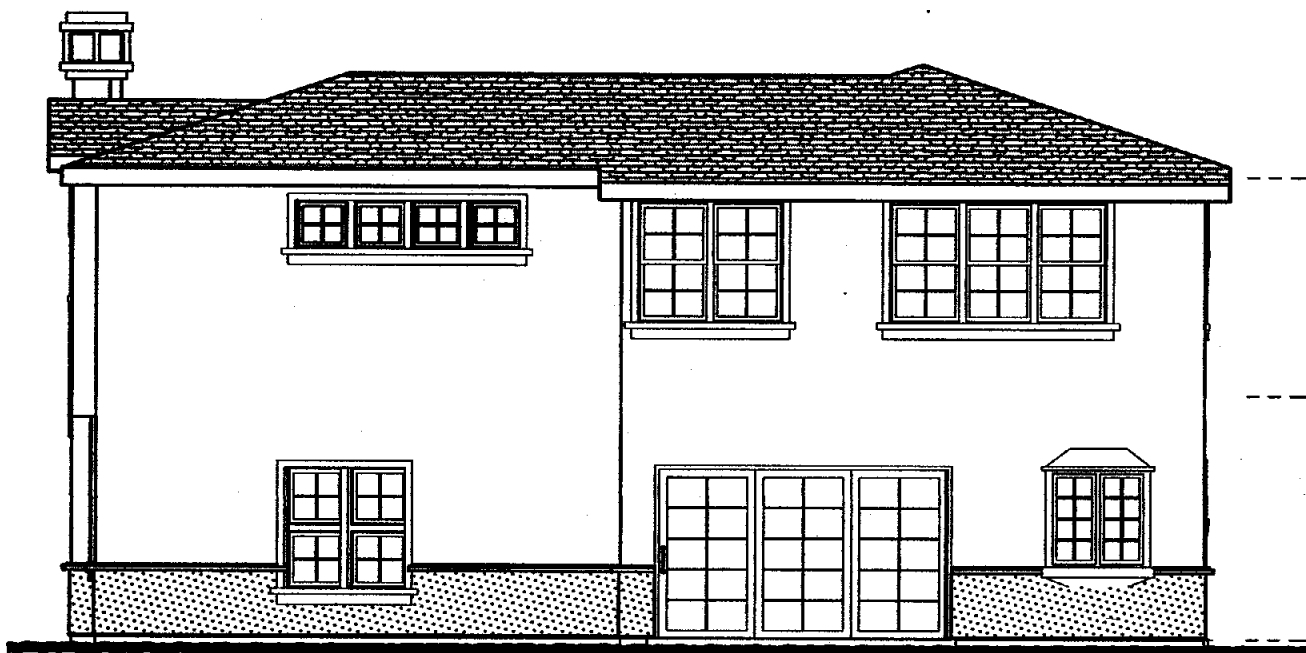
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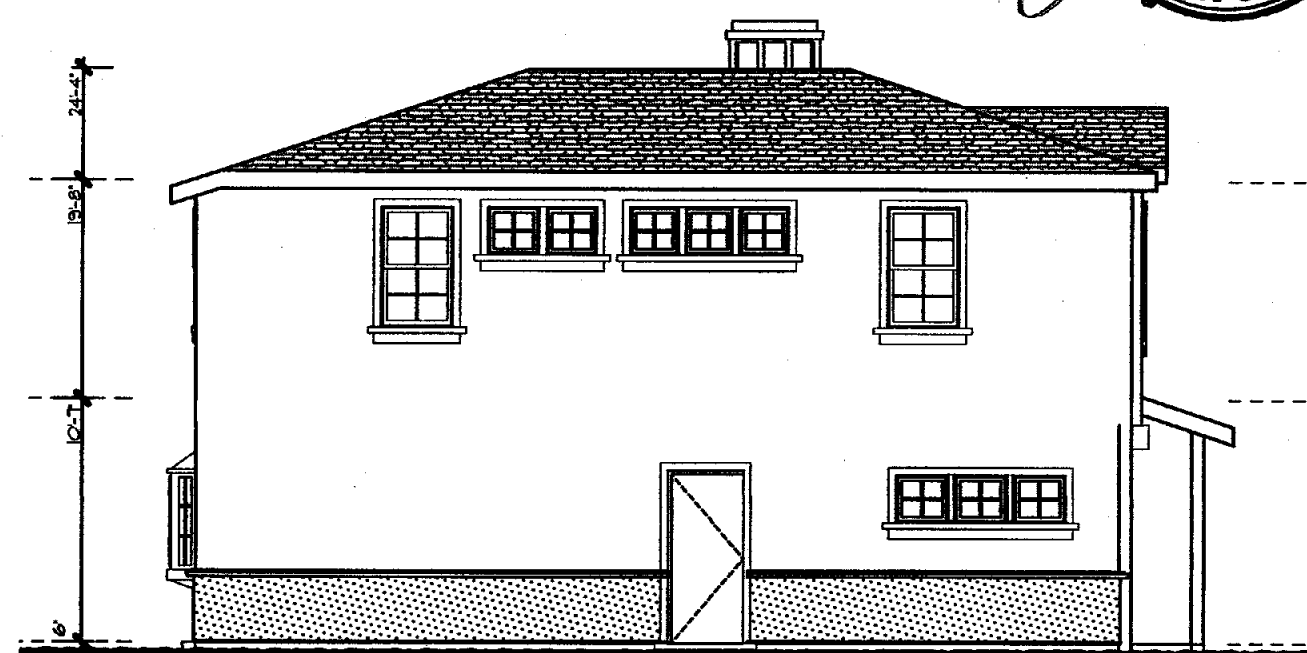
1 SOUTH ELEVATION
1/8" = 1'-0"



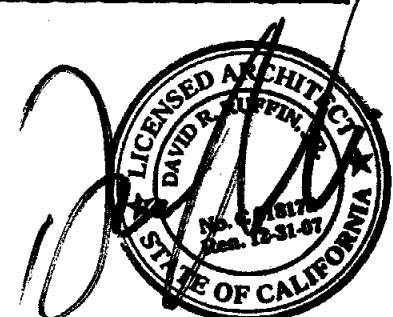
2 EAST ELEVATION
1/8" = 1'-0"



3 NORTH ELEVATION
1/8" = 1'-0"



4 WEST ELEVATION
1/8" = 1'-0"



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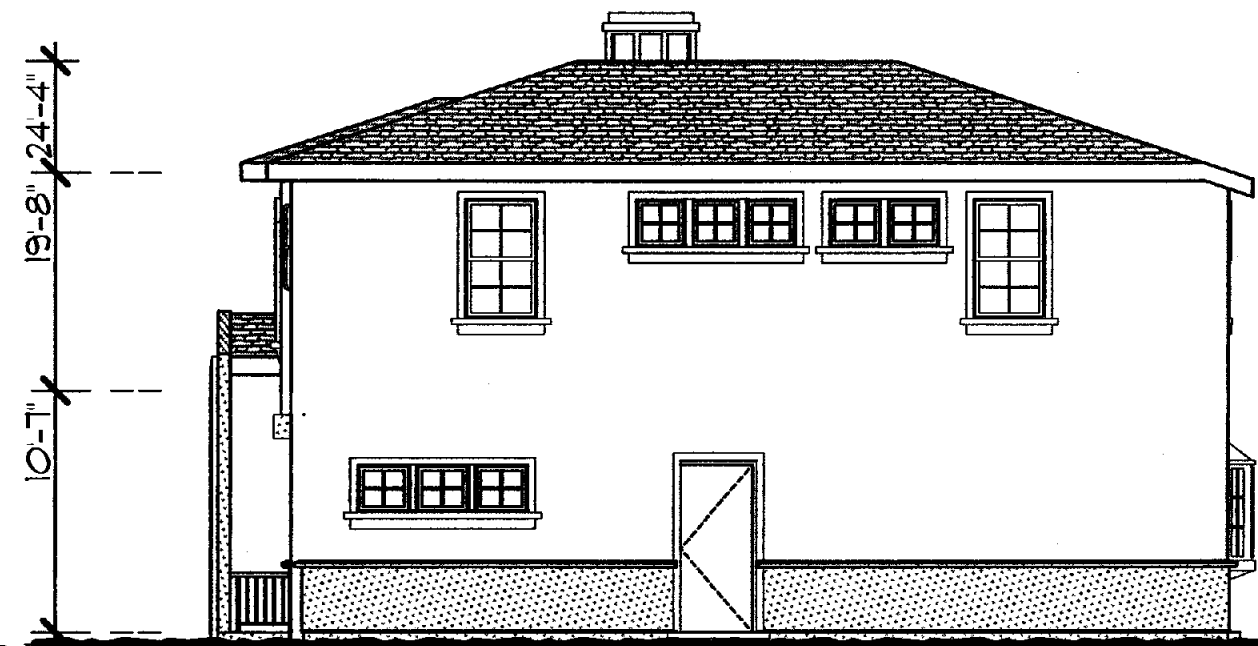
B1
ELEVATIONS

2/27/2006

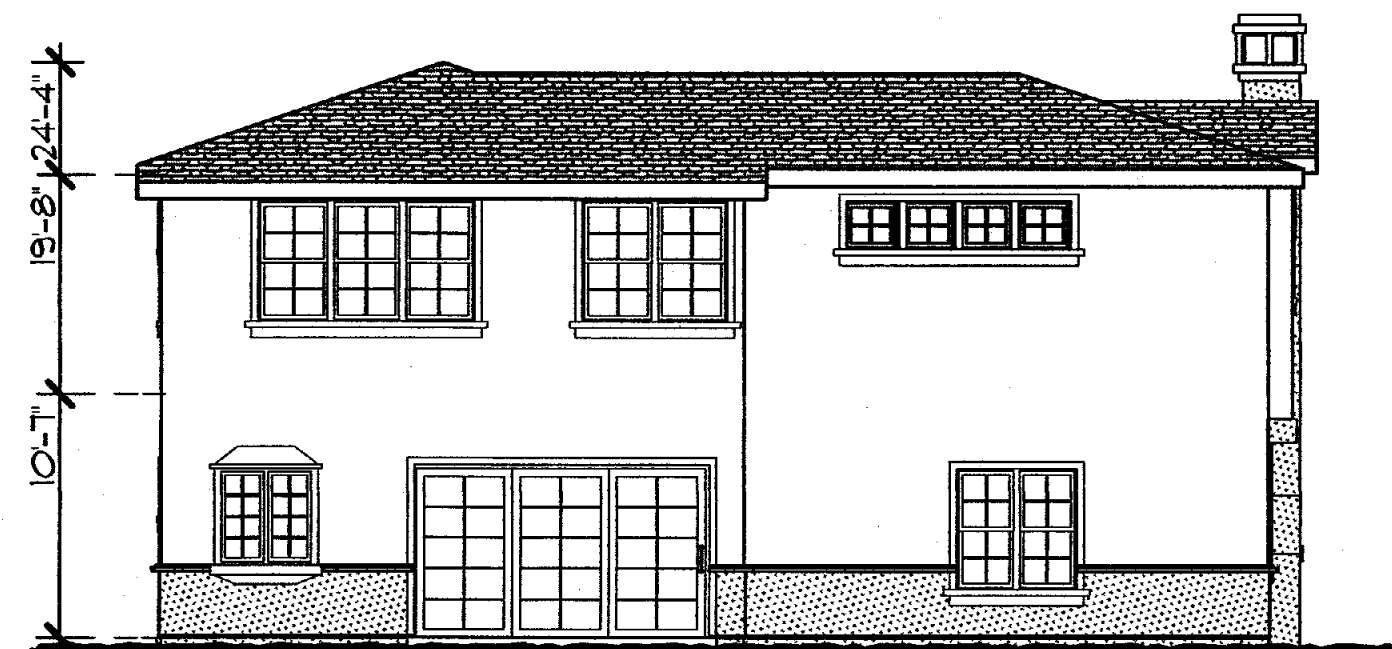
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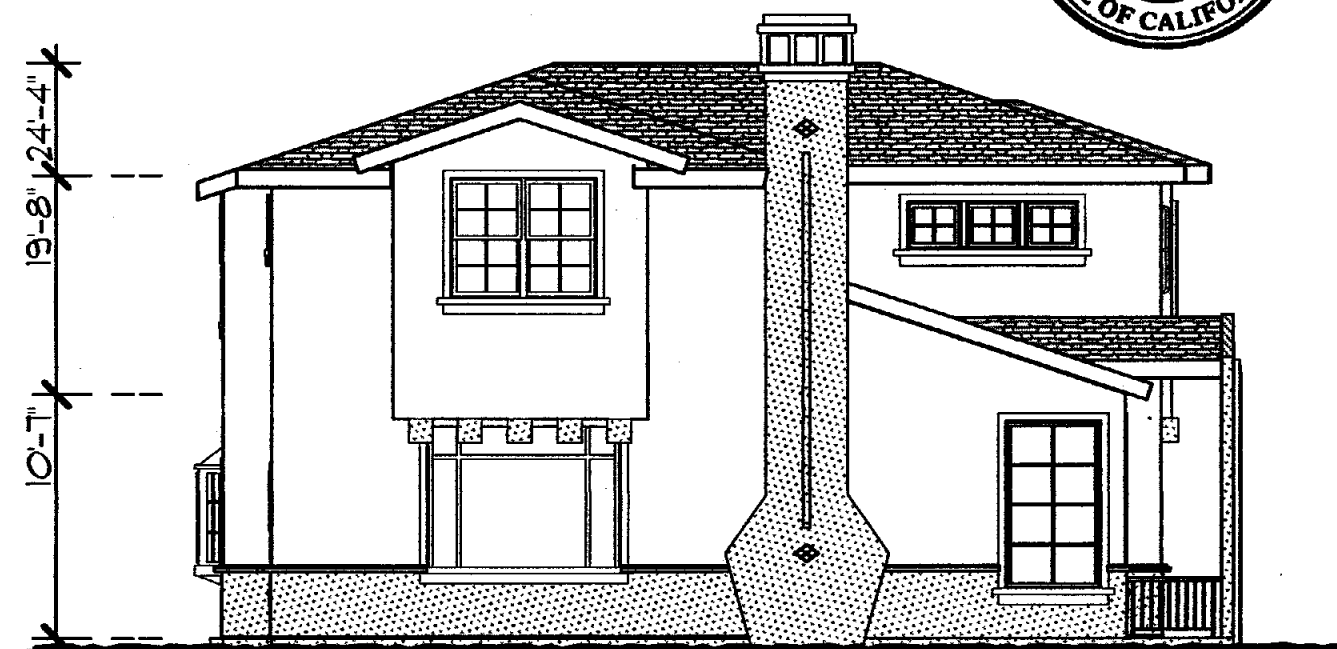
1 SOUTH ELEVATION
1/8" = 1'-0"



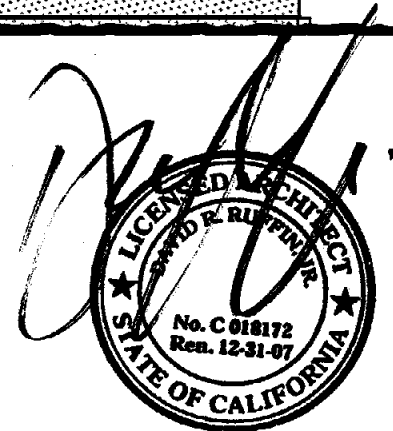
2 EAST ELEVATION
1/8" = 1'-0"



3 NORTH ELEVATION
1/8" = 1'-0"



4 WEST ELEVATION
1/8" = 1'-0"



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B2
ELEVATIONS

2/27/2006

A13

DUE TO THE SIZE AND
COLOR OF THE FOLLOWING
ATTACHMENTS, THEY
HAVE BEEN INCLUDED AS
SEPARATE LINKS